

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

SANOFI-AVENTIS,  
SANOFI-SYNTHELABO, INC., and  
BRISTOL-MYERS SQUIBB SANOFI  
PHARMACEUTICALS HOLDING  
PARTNERSHIP,

Plaintiffs,

v.

WATSON PHARMACEUTICALS, INC., and  
WATSON LABORATORIES, INC.,

Defendants

CIVIL ACTION No. 2:04-cv-04926  
Hon. William H. Walls, U.S.D.J.  
Hon. Claire C. Cecchi, U.S.M.J.

**STIPULATION OF DISMISSAL**

Plaintiffs Sanofi-Aventis, Sanofi-Synthelabo, Inc., and Bristol-Myers Squibb Sanofi Pharmaceuticals Holding Partnership (collectively "Sanofi") and Defendants Watson Pharmaceuticals, Inc. and Watson Laboratories, Inc. (collectively "Watson"), appearing through counsel, hereby stipulate pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii) that:

1. Sanofi's Complaint and claims for relief in Civil Action No. 2:04-cv-04926 are hereby DISMISSED WITHOUT PREJUDICE.

2. Watson's counterclaims and claims for relief in Civil Action No. 2:04-cv-04926 are hereby DISMISSED WITHOUT PREJUDICE.

3. Sanofi and Watson shall each bear its own costs and attorneys' fees.

Dated: 5/1/09

**LOWENSTEIN SANDLER PC**

By: 

David L. Harris (DH-3391)  
John R. Middleton, Jr. (JM-7724)  
**LOWENSTEIN SANDLER PC**  
65 Livingston Avenue  
Roseland, NJ 07068  
(973) 597-2340

Robert L. Baechtold, Esq.  
John D. Murnane, Esq.  
William E. Solander, Esq.  
**FITZPATRICK, CELLA, HARPER & SCINTO**  
30 Rockefeller Plaza  
New York, NY 10112-3800  
Phone: (212) 218-2100  
Facsimile: (212) 218-2200

Evan R. Chesler, Esq.  
Richard J. Stark, Esq.  
David N. Greenwald, Esq.  
**CRAVATH, SWAINE & MOORE LLP**  
Worldwide Plaza  
825 Eighth Avenue  
New York, NY 10019  
Phone: (212) 474-1000  
Facsimile: (212) 474-3700

Attorneys for Plaintiffs,  
Sanofi-Aventis, Sanofi-Synthelabo, Inc., and Bristol-  
Myers Squibb Sanofi Pharmaceuticals Holding Partnership

Dated: 4/29/09

**LEYDIG, VOIT & MAYER, LTD.**

By: 

John R. Holsinger, Esq.  
**JOHN R. HOLSINGER, LLC**

Two University Plaza  
Hackensack, NJ 07601  
(201) 487-9000

Steven H. Sklar, Esq.  
**LEYDIG, VOIT & MAYER, LTD.**  
Two Prudential Plaza, Suite 4900  
Chicago, IL 60601  
(312) 616-5600

Attorney for Defendants,  
Watson Pharmaceuticals, Inc. and Watson Laboratories,  
Inc.